

**IN THE MAYFLOWER DISTRICT COURT
IN AND FOR THE COUNTY OF CLARK**

ACTXRZ

Plaintiff,

vs.

MAYFLOWER LAW
ENFORCEMENT TRAINING
INSTITUTE

Case No. CR-PENDING-25

EMERGENCY MOTION FOR A
PRELIMINARY INJUNCTION AND
CIVIL COMPLAINT

EMERGENCY MOTION FOR PRELIMINARY INJUNCTION

HERE COMES actxrz (“Plaintiff”) for his motion for a preliminary injunction to set aside the expulsion order issued against him and to enjoin the Mayflower Law Enforcement Training Institute (“Defendant”) from enforcing such expulsion, pending resolution of the underlying civil action. In support thereof, Plaintiff states as follows:

STATEMENT OF FACTS

1. Plaintiff is a student enrolled in the Mayflower Law Enforcement Training Institute (“LETT”), a government agency responsible for the training and certification of peace officers in the State of Mayflower.
2. Plaintiff, a Candidate, had not yet achieved state certification and was in the process of completing the requisite training program.
3. On the 26th day of February, 2024, at approximately 5:18 P.M. Eastern Standard Time, Plaintiff was notified that he was expelled on the basis of alleged violations of the “Integrity” standard of the LETI Candidate Guidelines.

4. The “Integrity” section of the LETI Candidate Guidelines explicitly states that “[a]s a State Certified Individual, it is important to hold yourself to high standards at all times, regardless of who is watching. You are an example to citizens of the State and should act as one. You should ensure that you follow all rules and regulations set out by the Institute.” This language indicates that the “Integrity” standard applies specifically to individuals who have already attained state certification.
5. Prior to the expulsion, Plaintiff was not provided with formal notice of the allegations detailing the specific charges nor afforded the right to a hearing to contest the allegations.
6. The disciplinary action was executed unilaterally by LETI administration without adherence to any procedural protections.
7. The expulsion has resulted in significant detriments to Plaintiff including the immediate cessation of education, hindrance to a future law enforcement career, and reputation damage within the community.

ARGUMENT

8. Violation of Procedural Due Process Rights

Plaintiff’s expulsion from the Mayflower Law Enforcement Training Institute (“LETI”) without prior notice or a pre-deprivation hearing represents a violation of his constitutional due process rights. The Mayflower State Constitution affords the right to all persons that they shall not be “deprived of life, liberty, or property, without due process of law.” (Mayfl. Const. art 1 § 5). This Section applies unequivocally to LETI, a state-run agency, which is established as a principal department within the Governor’s cabinet and is responsible for training and certifying peace officers in the State of Mayflower. LETI’s role in training and certifying future peace officers creates a protected interest in completing the training program and obtaining a

state certification. By expelling Plaintiff—a candidate still in training—without affording him the minimum procedural safeguards, LETI has arbitrarily deprived him of an interest that is constitutionally protected.

The United States Supreme Court has long recognized that educational opportunities, once provided by the state, constitute a property interest requiring due process. In *Goss v. Lopez*, 419 U.S. 565 (1975), the Court stated that, “at the very minimum, those students facing suspension from a public school must be given oral or written notice of the charges against them and, if they deny the charges, an explanation of the evidence the authorities have and an opportunity to present their side of the story” (419 U.S. 565, 572). Although *Goss* involved traditional K-12 public schools, the underlying principle is that any state-sponsored educational or training program—such as LETI—must provide notice and a fair hearing before depriving an individual of the benefit of that program. Plaintiff’s status as a candidate in a government-run training institute gives rise to a similar property interest in the opportunity to complete the program and achieve certification, which is essential for his future career in law enforcement.

Furthermore, the due process requirement is not merely a matter of statutory policy but is deeply rooted in the constitution. In the United States Court of Appeals for the Fifth Circuit of Appeals, the court confidently held that “due process requires notice and some opportunity for hearing” (*Dixon v. Alabama State Board of Education*, 294 F.2d 150, 158 (5th Cir. 1961)). This decision supports the idea that when the state grants an individual access to education or certification, any adverse action must be preceded by a fair procedure. In Plaintiff’s case, the expulsion as carried out without providing him with any detailed notice

of the specific allegations or an opportunity to contest them, thus failing to satisfy the due process requirements as articulated in both *Goss* and *Dixon*.

Moreover, the Supreme Court in *Mathews v. Eldridge*, 424 U.S. 319, 96 S. Ct. 893 (1976), established a balancing test to determine the level of procedural due process required in any government action. The Court explained that the process required is determined by considering (1) the private interest affects, (2) the risk of erroneous deprivation through the procedures used, and (3) the government's interest, including the fiscal and administration burdens of additional procedures. In this case, Plaintiff's private interest—the opportunity to complete the LETI program and obtain certification—is imperative, as it directly affects his future career in law enforcement and professional reputation. This risk of erroneous deprivation is substantial, given that Plaintiff was expelled on the basis of a standard intended for “State Certificated Individuals,” despite his status as merely a candidate. Although LETI may argue that streamlined decision-making is necessary to maintain standards within the program, the government's interest in efficient administration does not justify circumventing the fundamental requirement of a fair hearing. The failure to provide a pre-deprivation hearing or specific notice of the charges renders the expulsion arbitrary and capricious, a violation of the due process guarantees that Courts have repeatedly upheld.

The significance of providing due process is further emphasized in *Goldberg v. Kelly*, 397 U.S. 254 (1970), where the Court held that the termination of welfare benefits—a deprivation of a significant property interest—must be preceded by a pre-termination hearing. Although

Goldberg involves welfare benefits rather than educational certification, the underlying principle remains the same: when a government action deprives an individual of an essential benefit or opportunity, the state must first provide notice and an opportunity to be heard. Similarly, in *Wolff v. McDonnell*, 418 U.S. 539 (1974), the Court emphasized that due process requires that an individual be given notice and an opportunity to be respond before being subjected to disciplinary measures that affect their interests. These cases collectively support the fact that LETI, as a state-run entity, cannot expel a candidate without following the minimum procedural safeguards required by due process.

The application of a disciplinary standard intended for certified professional to a student candidate is not only arbitrary but also deprives Plaintiff of a fundamental liberty interest. The Supreme Court has long held that “[w]here a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential” (*Wisconsin v. Constantineau*, 400 U.S. 433, 437 (1971)). LETI's failure to afford Plaintiff a pre-deprivation hearing or specific notice of the charges is unconstitutional. The disparity between the standard meant for state-certified individuals and the status of a candidate highlights the arbitrary nature of the expulsion, further increasing the risk of erroneous deprivation of Plaintiff's rights.

In sum, LETI's unilateral expulsion of Plaintiff, executed without providing the essential procedural safeguards of notice and a hearing, violates the due process protections enshrined in the Mayflower State Constitution as well as the Fourteenth Amendment to the United States Constitution. The expulsion deprives Plaintiff of a significant property

interest in his educational and law enforcement career and is patently arbitrary when a standard intended for state-certified individuals is misapplied to a candidate. Plaintiff's arguments collectively compels the conclusion that LETI must provide due process before taking any adverse disciplinary action that affects a candidate's opportunity to complete the program. Failure to do so not only violates the constitutional rights of candidates but also undermines the integrity of the state's certification process for peace officers.

9. Irreparable Harm and the Necessity of Injunctive Relief

Plaintiff further asserts that the expulsion imposed by LETI has caused him and will continue to cause irreparable harm, for which monetary damages would be wholly inadequate. The loss of the opportunity to complete the program and obtain state certification strikes at the very core of Plaintiff's career in law enforcement. The deprivation of such an educational benefit is not merely an inconvenience; it is a substantial, irreversible injury that affects his ability to become a peace officer within the state and tarnishes his reputation—a liberty interest protected by the Due Process Clause.

The importance of due process in preventing irreparable harm is further illustrated by the framework established in *Mathews v. Eldridge*, 424 U.S. 319 (1976). The Court in *Mathews* set forth a three-factor balancing test that examines (1) the private interest affected, (2) the risk of erroneous deprivation of that interest through the procedures used, and (3) the government's interest in expeditious and streamlined decision-making. In Plaintiff's case, his private interest in completing the training program and attaining certification is substantial, as it directly impacts his law enforcement career. The risk of erroneous

expulsion is significant, particularly given that LETI applied a disciplinary standard meant for “State Certified Individuals” to a candidate who has not yet been certified. This misapplication not only increases the likelihood of an unjust outcome but also renders any subsequent damage irreparable. While the government’s interest in maintaining administrative efficiency is undeniable, such interest does not outweigh the necessity of providing a fair and transparent process when a candidate’s future is at stake.

Moreover, the harm incurred is compounded by the reputational damage that accompanies an expulsion. The Supreme Court in *Goss v. Lopez*, 419 U.S. 565 (1975), recognized that disciplinary actions affecting a student’s reputation can inflict severe, long-lasting harm; something that money cannot repair. The stigma of expulsion from a training institute, particularly one that operates as an arm of the state, may irretrievably damage Plaintiff’s professional standing and ability to seek employment in a law enforcement agency. This reputational injury, once sustained, is both immediate and enduring, thereby emphasizing the inadequacy of monetary damages as a remedy.

Additionally, while LETI may argue that their internal disciplinary procedures, including the termination clause to which Plaintiff may have purportedly consented, justify swift administrative action, such consent does not override the fundamental requirement of procedural due process. Even where the government asserts an interest in efficiency or expediency, due process mandates that individuals facing adverse action be given notice of the factual basis for the decision and a fair opportunity to respond before a neutral decisionmaker. (See *Hamdi v. Rumsfeld*, 542 U.S. 507, 533 (2004) (holding that even in the national

security context, due process requires that an individual be given notice of the factual basis for the deprivation and an opportunity to rebut it)). This requirement is well-established in the constitution. In *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 542 (1985), the Supreme Court reaffirmed that “[a]n essential principle of due process is that a deprivation of life, liberty, or property be preceded by notice and opportunity for hearing appropriate to the nature of the case.”

Moreover, due process is not satisfied merely by offering an appeal after the deprivation has already occurred. As the Supreme Court has consistently recognized, “[t]he fundamental requirement of due process is the opportunity to be heard ‘at a meaningful time and in a meaningful manner.’” *Mathews*, 424 U.S., at 333, 96 S. Ct. 893, 47 L. Ed. 2d 18 (quoting *Armstrong v. Manzo*, 380 U.S. 545, 552, 85 S. Ct. 1187, 14 L. Ed. 2d 62 (1965)). The risk of erroneous deprivation is increased when an agency, such as LETI, unilaterally takes action without first affording the affected individual an opportunity to present a defense.

The necessity of procedural protections is not diminished merely because LETI operates as a professional training institution rather than a traditional educational entity. The fundamental rights at stake—the ability to pursue a chosen career and the right to a fair process before being deprived of such an opportunity—remain protected under the Due Process Clause. The lack of adequate pre-deprivation procedures in Plaintiff’s case renders LETI’s expulsion decision constitutionally infirm, necessitating immediate injunctive relief to prevent irreparable harm.

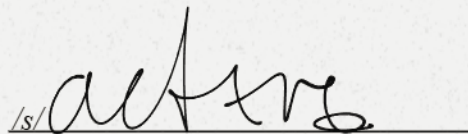
The cumulative effect of these deficiencies is to impose an irreversible injury on Plaintiff. The deprivation of his opportunity to complete a state-sponsored training program—an opportunity that is imperative for both his future employment and professional standing—cannot be remedied by subsequent monetary compensation. The established principles collectively mandate that when the state deprives an individual of a significant, state-created benefit without the benefit of due process, the harm incurred is irreparable. The risk of error, coupled with the high stakes of the deprivation and the severe impact on Plaintiff's law enforcement career, clearly justifies the grant of injunctive relief.

Given these considerations, the balance of equities strongly favors the Plaintiff. The harm suffered by Plaintiff in being expelled without the opportunity to contest the allegations outweighs any potential administrative burden that reinstating him might impose on LETI. Allowing the expulsion to stand would not only result in irreparable damage to Plaintiff's educational and law enforcement career but also set a dangerous precedent permitting state-run agencies to bypass constitutional protections. Therefore, to prevent further irreversible harm and to uphold the constitutional mandate for procedural fairness, it is imperative that this Court grant a preliminary injunction against LETI's enforcement of Plaintiff's expulsion pending the resolution of the underlying civil rights claims.

CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that this Court grant a preliminary injunction enjoining the Mayflower Law Enforcement Training Institute from enforcing the expulsion order against him and . Such injunctive relief is necessary to prevent further irreparable harm to his educational and professional career and to preserve his constitutional due process rights.

Additionally, Plaintiff requests that this Court order LETI to reinstate him into the Class 3 training program, allowing him to complete the necessary certification process without further unlawful interference. Immediate reinstatement is essential to prevent unjustified delays in his educational development and to rectify the due process violations that led to his improper expulsion.

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EMERGENCY MOTION FOR A
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CIVIL COMPLAINT

HERE COMES actxrz (“Plaintiff”) for his complaint against the Mayflower Law Enforcement Training Institute (“Defendant”), alleges as follows:

PRELIMINARY STATEMENT

10. This is a civil action seeking redress for the unlawful expulsion of Plaintiff from the Mayflower Law Enforcement Training Institute, in violation of his procedural due process rights guaranteed under the Mayflower State Constitution and the Fourteenth Amendment to the United States Constitution.
11. Plaintiff seeks declaratory and injunctive relief, as well as all other appropriate relief including but not limited to reinstatement to Class Three (3) of the Law Enforcement Training Institute, expungement of the expulsion from his record, and any other remedies the Court deems just and proper.

JURISDICTION AND VENUE

12. This Court has original jurisdiction over this action under Article X, § 2 of the Mayflower State Constitution.
13. Venue is proper in this Court because the actions and omissions alleged in this action occurred in the County of Clark, Mayflower.

PARTIES

14. Plaintiff actxrz is a resident of the State of Mayflower, and was, at all relevant times, a candidate enrolled in Class Three (3) of the Law Enforcement Training Institute.
15. Defendant Mayflower Law Enforcement Training Institute is a principal department in the State of Mayflower, established under Article VIII of the Mayflower State Constitution.

FACTUAL ALLEGATIONS

16. Plaintiff, on or about the 16th day of February, 2025, submit his application to the Mayflower Law Enforcement Training Institute (“LETI”).
17. On the 19th day of February, 2025, at approximately 9:00 A.M. Eastern Standard Time, Plaintiff received notification from the Director of the Institute that he had successfully gained entry into LETI and would be accepted as a candidate for Class 3.
18. On the 22nd day of February, 2025, Plaintiff was informed that he had successfully passed the Phase One Exam and would therefore advance to the next phase of the training program.
19. Plaintiff, on the 23rd day of February, 2025, had attended a Phase Two training event held at the Law Enforcement Training Institute facility.

20. Plaintiff, upon the competition of the event, was notified to complete his Phase Two exam.
21. Plaintiff, on the 26th day of February, 2024, at approximately 5:18 P.M. Eastern Standard Time, was notified that he had been expelled on the basis of alleged violations of the "Integrity" standard of the LETI Candidate Guidelines.
22. The "Integrity" section of the LETI Candidate Guidelines explicitly states that "[a]s a State Certified Individual, it is important to hold yourself to high standards at all times, regardless of who is watching. You are an example to citizens of the State and should act as one. You should ensure that you follow all rules and regulations set out by the Institute." This language indicates that the "Integrity" standard applies specifically to individuals who have already attained state certification.
23. Prior to the expulsion, Plaintiff was not provided with any formal notice specifying the detailed allegations against him, nor was he afforded a pre-deprivation hearing or any opportunity to contest the charges.
24. The disciplinary action was executed unilaterally by LETI administration without adherence to any procedural protections.
25. The expulsion has resulted in significant detriments to Plaintiff including the immediate cessation of education, hindrance to a future law enforcement career, and reputation damage within the community.

FIRST CAUSE OF ACTION
DEPRIVATION OF RIGHTS UNDER COLOR OF LAW
5 M.S.C. 1 § 3101.5

26. Plaintiff re-alleges and incorporates by reference all preceding paragraphs as if fully set forth herein.
27. Under 5 M.S.C. 1 § 3101.5, Deprivation of Rights Under Color of Law is defined as "[e]very person who, under color of any statute, ordinance, regulation, custom, or usage, subjects, or causes to be subjected, any

citizen of the State of Mayflower or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable for deprivation of rights to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable."

28. The Defendant, a state-run government agency established as a principal department within the Governor's cabinet under Article VIII of the Mayflower State Constitution, is acting under color of state law in administering the Mayflower Law Enforcement Training Institute ("LETI").
29. As a government entity entrusted with the authority to train and certify peace officers, Defendant's actions are subject to the procedural due process guarantees of both the Mayflower State Constitution and the Fourteenth Amendment to the United States Constitution.
30. Plaintiff's enrollment in the LETI training program constitutes a protected property interest under the Due Process Clause. The United States Supreme Court has consistently recognized that state-sponsored educational opportunities, once conferred, create a legitimate entitlement that may not be arbitrarily revoked without due process of law. (See *Goss v. Lopez*, 419 U.S. 565, 574 (1975); *Dixon v. Alabama State Board of Education*, 294 F.2d 150, 157 (5th Cir. 1961)).
31. Plaintiff's property interest stems not only from his enrollment in the LETI training program but also from the state-created certification process which forms the path to employment in a law enforcement agency. The Mayflower Law Enforcement Training Institute operates as the exclusive certifying body for peace officers in the State of Mayflower.

32. Without successful completion of the LETI program, Plaintiff is categorically barred from pursuing a law enforcement career within the state. This interest is not speculative but constitutes a substantial benefit conferred by the state that gives rise to due process protections under both federal and state constitutions.
33. Defendant's expulsion of Plaintiff, without prior notice or the opportunity to be heard, constitutes a deprivation of Plaintiff's protected property interest. The Mayflower State Constitution, Article I, § 5, provides that no person shall be deprived of life, liberty, or property without due process of law. Similarly, the Fourteenth Amendment to the United States Constitution prohibits the state from depriving any person of life, liberty, or property without due process of law.
34. The "Integrity" standard relied upon by Defendant to justify Plaintiff's expulsion is explicitly intended to apply only to State Certified Individuals. The language of the LETI Candidate Guidelines makes clear that the behavioral expectations set forth in the Integrity provision are imposed only after certification has been attained. By applying this standard to Plaintiff—a Candidate who had not yet achieved state certification—Defendant's action was arbitrary, capricious, and fundamentally unfair.
35. Moreover, the Defendant failed to provide Plaintiff with any formal notice of the factual allegations underlying the expulsion decision, nor did Defendant afford Plaintiff the opportunity to contest the charges through a pre-deprivation hearing before an impartial decisionmaker. The absence of such procedural safeguards constitutes a textbook violation of procedural due process rights under state law.
36. The Supreme Court has repeatedly held that "[t]he opportunity to be heard must be granted at a meaningful time and in a meaningful manner." (*Mathews v. Eldridge*, 424 U.S. 319, 333 (1976); *Cleveland*

Board of Education v. Loudermill, 470 U.S. 532, 542 (1985)). The failure to provide any opportunity for Plaintiff to rebut the allegations against him before the expulsion was executed renders Defendant's decision unconstitutional.

37. Furthermore, the Defendant's unilateral expulsion decision increases the risk of erroneous deprivation, particularly given that the applied Integrity standard was not intended to govern the conduct of candidates. Under the balancing test articulated in *Mathews v. Eldridge*, 424 U.S. 319 (1976), procedural due process requirements are determined by weighing:

- (1) The private interest affected by the government action;
- (2) The risk of erroneous deprivation through the procedures used, and the probable value of additional procedural safeguards; and
- (3) The government's interest in streamlined decision-making.

38. In this case, Plaintiff's private interest in completing the LETI program and obtaining state certification is substantial, as it directly impacts his career in law enforcement and professional reputation. The risk of erroneous deprivation is particularly high given Defendant's misapplication of a standard not intended for candidates. Moreover, the government's interest in administrative efficiency does not outweigh the necessity of affording Plaintiff basic procedural protections before imposing an expulsion that would irreparably harm his career.

39. The arbitrary nature of the expulsion decision is further compounded by the Defendant's failure to articulate any specific factual basis for the allegations or to provide Plaintiff with an opportunity to confront witnesses or present evidence in his own defense. These procedural deficiencies deprive Plaintiff not only of his property interest but also of his liberty interest in his reputation. The Supreme Court has consistently held that reputational harm caused by government action,

particularly where it implicates future employment, triggers due process protections. (*Wisconsin v. Constantineau*, 400 U.S. 433, 437 (1971); *Board of Regents v. Roth*, 408 U.S. 564, 573 (1972)).

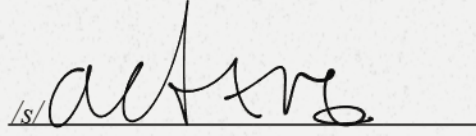
40. By expelling Plaintiff without providing notice, a pre-deprivation hearing, or any opportunity to contest the charges, Defendant's actions were taken under color of state law and in directly contravene the procedural due process rights guaranteed by both the Mayflower State Constitution and the Fourteenth Amendment.
41. The Defendant's failure to implement adequate procedural protections is not merely a technical oversight but constitutes a willful disregard of constitutional obligations designed to protect individuals from arbitrary government action.
42. As a direct and proximate result of Defendant's actions, Plaintiff has suffered:
 - (1) Immediate cessation of his education and training;
 - (2) Irreparable damage to his professional reputation; and
 - (3) Hindrance to his future law enforcement career.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgement in his favor as follows:

1. A declaratory judgment that Defendant's expulsion of Plaintiff violated his procedural due process rights under the Mayflower State Constitution and the Fourteenth Amendment to the United States Constitution;
2. A preliminary and permanent injunction enjoining Defendant from enforcing the expulsion order;
3. An order directing Defendant to reinstate Plaintiff into Class Three (3) of the LETI training program;
4. Expungement of the expulsion from Plaintiff's educational record;

5. Any other relief the Court deems just and proper.

A handwritten signature in black ink, appearing to read 'actxrz', is written over a horizontal line. The signature is stylized with a large 'a' and a long, sweeping 'z'.

actxrz (#1009202)

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